

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed December 26, 2007. Upon entry consideration of this response, claims 1 – 20 remain pending. In particular, Applicants add claims 14 – 20. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

I. Objections to the Drawings

The Office Action indicates that the drawings are objected to as failing to comply with 37 CFR 1.121(d) because one or more of the drawings are allegedly illegible. In response, Applicants agree to file amended drawings at the time of allowance and respectfully request abeyance of this objection until that time.

II. Rejections Under 35 U.S.C. §103

A. Claim 1 is Allowable Over *Priem* in view of *Quigley* in view of *Radko* and further in view of *Beshai*

The Office Action indicates that claim 1 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent Number 6,282,587 ("*Priem*") in view of U.S. Patent Number 6,650,624 ("*Quigley*") in view of U.S. Patent Number 5,687,392 ("*Radko*"), and further in view of U.S. Publication Number 2004/0213291 ("*Beshai*"). Applicants respectfully traverse this rejection for at least the reason that *Priem* in view of *Quigley* in view of *Radko* and further in view of *Beshai* fails to disclose, teach, or suggest all of the elements of claim 1. More specifically, claim 1 recites:

A method for transferring network packet data stored in memory to an output device, the method comprising the steps of:
concatenating one or more packet data octets from at least a first data word having at least one packet data octet to be included in a network packet to generate a first sequence of packet data octets having an octet length at least as great as an octet length of a data word;

storing the first sequence of packet data octets in a FIFO buffer operably connected to the output device **when the octet length of the sequence of packet data octets is equal to the octet length of a data word**; and

storing a first subset of packet data octets from the first sequence of packet data octets in the FIFO buffer and storing a remaining second subset of packet data octets from the first sequence in an alignment register when the octet length of the first sequence of packet data octets exceeds the octet length of a data word, wherein an octet length of the first subset of packet data octets is equal to the octet length of a data word.

(emphasis added)

Applicants respectfully submit that claim 1 is allowable over the cited art for at least the reason that none of *Priem*, *Quigley*, *Radko*, and *Beshai* discloses, teaches, or suggests a "method for transferring network packet data stored in memory to an output device, the method comprising the steps of... storing the first sequence of packet data octets in a FIFO buffer operably connected to the output device **when the octet length of the sequence of packet data octets is equal to the octet length of a data word**" as recited in claim 1. More specifically, the Office Action admits that "*Priem et al.* do not specifically disclose storing the data that meets the length requirement" (OA page 4, line 9).

Additionally, *Quigley* fails to overcome the deficiencies of *Priem*. More specifically, *Quigley* discloses "[r]esponsive to the comparison, the modem fragments the data to be transmitted into a plurality of segments if the requested amount is larger than the granted amount. One of the segments is no larger than the granted amount" (column 1, line 65). As illustrated in this passage, *Quigley* appears to disclose that one of the segments is no larger than a stated amount. Claim 1, by contrast, discloses "storing the first sequence of packet data octets in a FIFO buffer operably connected to the output device **when the octet length of the sequence of packet data octets is equal to the octet length of a data word**." As illustrated, *Quigley* is limited to one of the segments and is further limited to the segments being no larger than a stated amount. Further, none of the remaining cited references overcome these deficiencies. For at least these reasons, claim 1 is allowable.

B. **Claim 5 is Allowable Over *Priem* in view of *Quigley* in view of *Radko* and further in view of *Beshai***

The Office Action indicates that claim 5 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent Number 6,282,587 ("*Priem*") in view of U.S. Patent Number 6,650,624 ("*Quigley*") in view of U.S. Patent Number 5,687,392 ("*Radko*"), and further in view of U.S. Publication Number 2004/0213291 ("*Beshai*"). Applicants respectfully traverse this rejection for at least the reason that *Priem* in view of *Quigley* in view of *Radko* and further in view of *Beshai* fails to disclose, teach, or suggest all of the elements of claim 5. More specifically, claim 5 recites:

A system for transferring network packet data stored in memory to an output device, the system comprising:

a direct memory access (DMA) interface for accessing a set of data words stored in memory, each data word having at least one valid octet to be included in a network packet and each data word being accessed using a DMA address associated with the data word;

a first in-first out (FIFO) buffer for storing network packet data to be transmitted by the output device; and

an alignment block having at least one alignment register, wherein the alignment register for storing at least one data octet, and wherein the alignment block is adapted to:

concatenate one or more packet data octets from at least a first data word having at least one packet data octet to be included in a network packet to generate a first sequence of packet data octets having an octet length at least as great as an octet length of a data word;

store the first sequence of packet data octets in a FIFO buffer operably connected to the output device ***when the octet length of the sequence of packet data octets is equal to the octet length of a data word***; and

store a first subset of packet data octets from the first sequence of packet data octets in the FIFO buffer and storing a remaining second subset of packet data octets from the first sequence in an alignment register when the octet length of the first sequence of packet data octets exceeds the octet length of a data word, wherein an octet length of the first subset of packet data octets is equal to the octet length of a data word.

(emphasis added)

Applicants respectfully submit that claim 5 is allowable over the cited art for at least the reason that none of *Priem*, *Quigley*, *Radko*, and *Beshai* discloses, teaches, or suggests a "system for transferring network packet data stored in memory to an output device, the system comprising... an alignment block... store the first sequence of packet data octets in a FIFO buffer operably connected to the output device **when the octet length of the sequence of packet data octets is equal to the octet length of a data word**" as recited in claim 5. More specifically, the Office Action admits that "Priem et al. do not specifically disclose storing the data that meets the length requirement" (OA page 4, line 9).

Additionally, *Quigley* fails to overcome the deficiencies of *Priem*. More specifically, *Quigley* discloses "[r]esponsive to the comparison, the modem fragments the data to be transmitted into a plurality of segments if the requested amount is larger than the granted amount. One of the segments is no larger than the granted amount" (column 1, line 65). As illustrated in this passage, *Quigley* appears to disclose that one of the segments is no larger than a stated amount. Claim 5, by contrast, discloses "stor[ing] the first sequence of packet data octets in a FIFO buffer operably connected to the output device **when the octet length of the sequence of packet data octets is equal to the octet length of a data word.**" As illustrated, *Quigley* is limited to one of the segments and is further limited to the segments being no larger than a stated amount. Further, none of the remaining cited references overcome these deficiencies. For at least these reasons, claim 5 is allowable.

C. **Claims 2 – 4 and 6 – 13 are Allowable Over *Priem* in view of *Quigley* in view of *Radko* and further in view of *Beshai***

The Office Action indicates that claims 2 – 4 and 6 – 13 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent Number 6,282,587 ("*Priem*") in view of U.S. Patent Number 6,650,624 ("*Quigley*") in view of U.S. Patent Number 5,687,392 ("*Radko*"), and further in view of U.S. Publication Number 2004/0213291 ("*Beshai*"). Applicants

respectfully traverse this rejection for at least the reason that *Priem* in view of *Quigley* in view of *Radko* and further in view of *Beshai* fails to disclose, teach, or suggest all of the elements of claims 2 – 4 and 6 – 13. More specifically, dependent claims 2 – 4 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 1.

Dependent claims 6 – 13 are believed to be allowable for at least the reason that they depend from allowable independent claim 5. *In re Fine, Minnesota Mining and Mfg.Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

III. New Claims 14 – 20 are Allowable

In addition, Applicants add new claims 14 – 20. New independent claim 14 is allowable for at least the reason that the cited art fails to disclose, teach, or suggest “means for storing the second sequence of packet data octets in the FIFO buffer when the octet length of the sequence of packet data octets is equal to the octet length of a data word.” Similarly, new claims 15 – 20 are allowable for at least the reason that these claims depend from allowable independent claim 14. *In re Fine, Minnesota Mining and Mfg.Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or addressed, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and Official Notice, or statements interpreted similarly, should not be considered well-known for the particular and specific reasons that the claimed combinations are too complex to support such conclusions and because the Office Action does not include specific findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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